



Entered on Docket
June 18, 2010

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

Robert M. Charles, Jr., (NV 6593)
John Hinderaker (AZ 018024)
Marvin Ruth (NV 10979)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone (702) 949-8320
Facsimile (702) 949-8321
Email: rcharles@lrlaw.com
jhinderaker@lrlaw.com
mruth@lrlaw.com

Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR¹
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR²
Case No. BK-S-06-10728-LBR³
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**Order Sustaining Fourth Omnibus
Objection Of USACM Trust To
Proofs Of Claim Based Entirely
Upon Investment In The Gramercy
Court Loan**

Hearing Date: June 15, 2010
Hearing Time: 9:30 a.m.

The Court having considered the "Fourth Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment In The Gramercy Court Loan"
[DE 8051] (the "Objection"); the Court having heard the Objection on June 15, 2010;

1 appropriate notice of the Objection having been given; no response to the Objection
2 having been filed; and good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8051] is sustained;
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Gramercy Court Loan for the reasons set forth
7 in the objection.

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10
11 By /s/ Robert M. Charles, Jr. (#6593)
12 Robert M. Charles, Jr.,
13 John Hinderaker (*pro hac vice*)
14 3993 Howard Hughes Parkway, Ste. 600
15 Las Vegas, Nevada 89169-5996
16 Telephone: (702) 949-8320
17 Facsimile: (702) 949-8321

18
19 *Attorneys for USACM Liquidating Trust*

20
21
22
23
24
25
26

1 CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021
23 In accordance with Local Rule 9021, the undersigned certifies:
4

- 5 The Court waived the requirements of approval under LR 9021.
6
- 7 This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I
8 have delivered a copy of this proposed order to all counsel who appeared at the
9 hearing, any unrepresented parties who appeared at the hearing, and each has
10 approved or disapproved the order, or failed to respond, as indicated below [list
11 each party and whether the party has approved, disapproved, or failed to
12 respond to the document.]
13
- 14 This is a chapter 11 case, and I have delivered a copy of this proposed order to
15 all counsel who appeared at the hearing, any unrepresented parties who
16 appeared at the hearing, and each has approved or disapproved the order, or
17 failed to respond, as indicated below.
18
- 19 I certify that I have served a copy of this order with the motion, and no parties
20 appeared or filed written objections.

21 U.S. Trustee:	22	23
24 <input type="checkbox"/> approved the form of this order	25 <input type="checkbox"/> disapproved the form of this order	26
27 <input checked="" type="checkbox"/> waived the right to review the order 28 and/or	29 <input type="checkbox"/> failed to respond to the document	30
31 Other Party:	32	33
34 <input type="checkbox"/> approved the form of this order	35 <input type="checkbox"/> disapproved the form of this order	36
37 <input type="checkbox"/> waived the right to review the order 38 and/or	39 <input type="checkbox"/> failed to respond to the document	40

41 Submitted by:
42

43 LEWIS AND ROCA LLP

44 By: /s/ Robert M. Charles, Jr.,

45 Attorneys for USACM Liquidating Trust

46 # # #
47

Exhibit A

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Gramercy Court, LTD Loan
10725-01735	Twichell, Donald V & Michelle	5385 Cross Creek Ln Reno, NV 89511-9037	54,787.34	54,787.34
10725-01441	Wald Financial Grp Inc Defined Benefit	Pension Trust 249 Margo Way Pismo Beach, CA 93449	50,516.67	50,516.67
10725-00397	Walls Family Trust Dtd 12/10/97	C/O Joseph P & Ellen Walls Ttees 2778 Bedford Way Carson City, NV 89703- 4618	50,000.00	50,000.00
10725-00062-2	Walter, Diane	C/O Beesley Matteoni Ltd Caryn S Tijsseling Esq 5011 Meadowood Mall Way Sui Reno, NV 89502	50,000.00	50,000.00
10725-01269	Wayne Dotson Co Peter Bogart Ceo	Peter Bogart Ceo 1445 City Line Ave. Wynnewood, PA 19096 Wayne Dotson Co. Peter Bogart, CEO 3 Hidden Lake Court Bluffton, SC 29910	56,000.00	56,000.00
10725-00559	William Kostechko Revocable Trust Dtd 10/31/05	C/O William Kostechko Trustee 5415 W Harmon Ave Unit 1035 Las Vegas, NV 89103- 7013	100,000.00	100,000.00
10725-01308	Wolken, Stan	598 Lariat Cir Incline Village, NV 89451	50,000.00	50,000.00
10725-00501	Wright, Wanda	16500 Pyramid Hwy Reno, NV 89510	52,400.00	52,400.00
10725-01019	Yonai Trustee, Gregory D	1982 Country Cove Ct Las Vegas, NV 89135- 1552	54,500.00	54,500.00